

WALTER COLLINS,

Six miles southwest
of Ponca City, Okla.

8.

Alleged to have been running the whiskey
joint near Halston when the Erran Burk-
hart-Alma Brown party stopped there the
night of May 21, 1921, and that he sold
them their whiskey. He should be able
to identify the various members of the
party, who, it is said, left his road-
house about 10 P. M. that night.

Material.

9.

Page 448
Par. 2

... as a question
... before using
... Grand Jury.

1331

MRS. GEORGE JAMES,

Fairfax, Okla.

Material.

Can testify that she was awake Sunday morning, May 28, 1921, worrying because her husband had not come home that night; that she had known Anna Brown and Bryan Burkhart well for a number of years; that she lived a short block due north of the main road from Fairfax to Grayhorse and Maletan, on the south side of Fairfax; that about 8 A. M., that Sunday morning, she saw the lights of a big car which stopped on said road just south of her house, and heard a man's and a woman's voice; that the man exclaimed "stop your foolishness, Anna, and get into this car", and a woman's voice answered, but was unintelligible; that in a few minutes the car drove on west a block, turned north for two blocks, east a block and then turned south, with the lights directly toward Mrs. James, and stopped at the sidewalk, in front of Anna Brown's house; that Anna Brown and Bryan Burkhart got out of the car and walked up to Anna's front porch, where an electric light was burning; that they stopped at Anna Brown's front door, and Mrs. James recognized the two persons on the porch as Anna Brown and Bryan Burkhart; and that they had come up from where they had stopped on the road south of her house.

5.
Page 115
Part 1

suprema and question fully before using before Grand Jury.

James is a woman of very good reputation, and will make a good witness.

James has been interviewed several times, and she has been quoted as saying she is not positive it was Bryan Burkhart that she saw that morning, but she is reliably informed that she will testify that she was certain at the time, when she saw that it was Bryan Burkhart.

James Brown and Bryan Burkhart were interviewed several times, and she has been quoted as saying she is not positive it was Bryan Burkhart that she saw that morning, but she is reliably informed that she will testify that she was certain at the time, when she saw that it was Bryan Burkhart.

MRS. MAGGIE CLARK
MCGUIRE

Fairfax, Okla.

2.

Removed to have seen Bryan Burkhart and
Anna Brown leaving Anna Brown's house.
In an interview with Agent Heakley in
August, 1928, she denied this, and claim-
ed to have no knowledge.

3.

Page 116
Par. 1

Subpoena and question
served before using
before Grand Jury.

KEN HINKLE.

One mile north, and
half mile west of
Grayhorse, Okla.

2.

Can testify that just after daylight, on
Sunday morning, May 22, 1921, he saw
Bryan Burkhart driving east into Gray-
horse in Ernest Burkhart's Buick car,
and stopped and spoke to Bryan and that
Bryan has asked him not to tell this to
anyone.

Reported that Bryan Burkhart claims to
have "fissar" Hinkle so he will not tell.

Material.

3.

Page 649

Par. 2

appears and question
ably before us as
before Grand Jury.

Page 474-0

Par. 5

FRED WYO

Fairfax, Okla.

2.

Stated to Agent Weakley that on May 21, 1921, he and Robert Klases drove up to Anna Brown's house about 8 P. M. but found no one at home; that they called at her house again about 11 P. M. that night and found no one at home.

3.

Chapena and question
daily before using
before Grand Jury.

Page 169
Par. Last

This man's name is
as given as Lee
(to)

Material

175/5

1.
ROBERT KISSEN of
KAZEE,

Address unknown

*Farmington
Surfax, Okla.*

Material.

2.

Can testify that early on Saturday night, May 21, 1921, he went to the home of Anna Brown, and no one was there; that he again called at her home a little later the same night, and found no one there. (Corroborates testimony of Fred Uto.)

Can testify that on the afternoon of Sunday, May 22, 1921, he and Duke Burkhardt drove to the home of Anna Brown to see if she was there, but she was not home; that Duke Burkhardt claimed he was looking for her at the request of Anna's mother.

3.

Page 113
Par. last

Page 113
Par. last

Subpoena and question
initially before using
before Grand Jury.

1336

1.

ANDY SLIWE,
Fairfax, Okla.

2.

Can testify that while hunting, with One Smith and I. L. Ellsworth, on Three Mile Creek, on May 27, 1921, they discovered an Indian woman's dead body, badly decomposed, at the head of a branch of Three Mile Creek, and about three miles northeast of Fairfax; that they went to Fairfax and reported their discovery to Mr. Turnden, an undertaker, and took him and others back that same day and showed them where the body was.

Material.

3.

Page 312
Par. 3

Witness and

section fully before
ing before Grand
jury.

They have additional
information, and
names of other wit-
nesses.

1367

1
Name
-GAY SMITH,

Fairfax, Okla.

Material.

2.

Can testify that while hunting with Andy Smith and I. L. Ellsworth on Three Mile Creek, on May 27, 1921, they discovered an Indian woman's dead body, badly decomposed, at the head of a branch of Three Mile Creek, and about three miles northeast of Fairfax; that they went to Fairfax and reported their discovery to Mr. Turnden; an undertaker and took him and others back that same day and showed them where the body was. (Corroborates testimony of Andy Smith)

3.

Page 21c
Par. 5

Explain and question
fully before using
before Grand jury.

They have additional
information and
names of other wit-
nesses.

1921

1.
MR. TUCKER,
Undertaker,

Fairfax, Okla.

Material

2.

Can testify that he was notified of the finding of the body by Andy Smith, Ona Smith and L. L. Ellsworth; that he went out to the spot but could not identify the body; that Dr. J. G. Shoun, Mrs. Anna Sitterly, Mrs. Mollie Burkhardt, and Mrs. Rita Smith, all of Fairfax, subsequently identified the body as that of Anna Brown; that he prepared the body for burial by freezing it in ice and salt where it was found; that at the place where the body was found, Drs. J. G. Shoun and D. A. Shoun performed a rude autopsy by bisecting the skull from front to rear, and searching in the decayed brain mass for the bullet which was not found; that a more thorough autopsy could not be made on account of the terrible condition and ooze of the body. Mr. Turman still has the left side of the skull, showing the bullet hole.

Can testify that he examined the surroundings carefully, noted the position of the body, and the position and condition of the clothes, and is convinced that Anna Brown was sitting just where her body was found when she was shot. Can also testify that a round quart whiskey bottle was shot at an angle of about thirty degrees, lying near the body and the ground.

Propena and question
fully before hearing
before Grand Jury.

Page 667
Pas. Last.

8.

Test all
particular

DR. J. O. SHOWN,
Fairfax, Okla.:

2. I can testify that he identified the dead body as that of Anna Brown.

Can also testify that he and his brother, Dr. D. A. Shoun, performed a rude autopsy on the body at the place where it was found; that death was caused by a bullet wound in the head; that the bullet was not found, but that it is very possible that the bullet was in the brain, and not found because the work was crudely and hastily done, on account of the bad condition of the body.

Material:

5.

Page 667
Par. 1st.

Page 20
Par. 1

appears and question
fully before using
before Grand Jury.

DR. D. A. SHOUT,

~~Deer Creek~~
Canyon City, Colo.

Material.

2.

Can testify that he and his brother, Dr. J. G. Shoun, performed a rude autopsy on the body at the place where it was found; that death was caused by a bullet wound in the head; that the bullet was not found, but that it is very possible that the bullet was in the brain, and not found because the work was crassly and hastily done, on account of the bad condition of the body.

3.

Shoun and question
fully before using
before Grand Jury.

1.
MRS. ANNA SITTERLY,
Fairfax, Okla.

2.
Can testify that she viewed the body
and positively identified it as that
of Alma Brown.

3.
Page 686
Par. 1

is witness previ-
ously mentioned in
this case.

Material

1.
MRS. MOLLIE BUEHART,
Fairfax, Okla.

2.
Can testify that she viewed the body
and positively identified it as that
of Anna Brown.

Material.

3.
Page 656
Par. 1

subpoena and question
 fully before using
 before Grand jury.

This witness is the
 wife of Ernest Burk-
 hart, and a sister
 of Anna Brown.

JIM PARKER,
Pawnee, Okla.

Material.

Can testify that he has known Bill Hale and the Burkhardt well for years; that he was at fair; broke; that he was wanted; that he was wanted to him in effect "Just how G--- D----- tough are you?" intimating that he had a "job" he wanted done; that shortly after this Henry Roan was murdered.

3.

Page 662
Par. 2

Subpoena and question fully before using before Grand Jury.

Agents have not approached this witness, who is an ex-convict, a car thief, a "stick-up" man, and an all-around robber, but have a confidential informant working on him for further evidence.

There is a universal fear among witnesses of being "bumped off" for telling or assisting in the investigation which has kept many persons from telling things of material value. It is believed, however, that when the evidence to convict is as strong as in the case of these Indian murders is obtained, the guilty persons will be convicted and held with the same force as the law demands.

13-44

1.
SCOTT MARSH,
Fairfax, Okla.

2.

Can testify that he viewed the body and positively identified it as that of Anna Brown.

3.

Page 666
Par. 1

Subpoena and question
served on Scott Marsh
before Grand Jury.

Material...

1545

1.
FRANK HICKEY,
Fairfax, Okla.

2.
Mrs. Anna Sitterly stated that she had heard that Frank Hickey had found a .32 calibre revolver, while out on a picnic near the spot where Anna Brown's body was found. In an interview with Agent Weakley, Hickey denied this.

Material.

3.

Subpoena and question
served on Hickey
before being
before Grand Jury.

Page 118
Par. 2
and last.

1. H. E. WILSON,

Justice of the Peace

Fairfax, Okla.

Material.

2.

Can testify that he presided over the coroners inquest that inquired into the death of Anna Brown; that notice of the testimony were made by Walter Gray, and he, Wilson, has a copy of the transcript; can testify relative to Bryan Burkhart's testimony before the coroners jury, where in he swore that he took Anna Brown to her home in Fairfax about 4:50 P. M. on May 21, 1921, and never saw her alive after that.

3.

Page 686
Par. 3

subpoena duces tecum.
 question fully before
 being before Grand
 jury.

MR. JEFFRIES,
Former Asst. County
Attorney.

Lawhams, Okla.

Material.

2.

Represented state at coroners inquest,
and at preliminary hearing of Bryan Burk-
hart, at which hearing Burkhart was dis-
missed on account of insufficient evi-
dence.

3.

Page 49
Par. last

Supplied and question
fully before using
before Grand Jury.

1.
WALTER GRAY,

Fairfax, Okla.

Material.

2.

Took testimony at coroners inquest, and furnished transcript of same to coroner.

Page 866

Par. 1

3.

brooms and question
ally before using
before Grand Jury.

1349

ERNEST BURCHART,
Tulsa, Okla.

2.

Testified before coroner jury.

Stated by Dewey Balph, on July 9, 1926, to Agents J. A. Street and J. R. Burger that on the night before Anne Brown disappeared, he, Blaikie Gord, Kalea Morrison, Bob Crane, Charles Bailey, Bryan and Ernest Burchart were at Ernest Burchart's home near Grayhorse, playing poker, and Ernest Burchart at that time said he would give \$2500. to get rid of Anna Brown, and \$2500. after she was gone away with.

Balph's statement corroborated by W. G. Bailey, in statement made by Bailey to Agents F. S. Smith and J. A. Street on July 13, 1926.

Balph's and Bailey's statements corroborated by B. B. Crane, in statement made by Crane to Agents F. S. Smith and J. A. Street.

5.

Page 107
Par. Last.

Page 761
Par. Last

Page 760
Par. Last

Page 776
Par. 111

Ernest Burchart will be used before coroner jury.

Ernest Burchart married Mollie a daughter of Miss Q. and sister of Anna Brown. Mollie inherited the estates of Miss Q. and Anna Brown. Mollie, Ernest's wife, is now seriously ill, she is the last of the Miss Q. family, and it is believed that she is being allowed to die so that all property formerly held by Ernest and Anna will go to the Burcharts.

1.
BRYAN BURKHART,
Fairfax, Okla.

Conspirator.

2.

Testified before coronare jury that the last time he saw Anna Brown alive was on Saturday May 21, 1921 about 4:30 or 6 o'clock. (This is direct contradiction of statements of George James, Edith Davis, I. R. Hedges, E. D. Rainey, J. McClure, Fred Wheeler, Lee Morgan, Paul Johns, Maggie Clark McClure, Mrs. George James, Walter Dolline, Martha Doughy Brookshire.)

As stated by George James, Bryan Burkhart, Anna Brown, J. L. Bridgee, George James and Edith Davis were on a drinking party at a whiskey joint just west of Ediston Saturday night May 21, 1921, where they stayed until 10 P. M., then drove to Paul John's roadside near Burbank where they stayed until 12:30 A. M. Sunday May 22, then drove to "Shorly" Morgan's whiskey joint near Burbank where they stopped but did not get out of the cars, after which they separated. James and Edith Davis in one car, and Bridgesey Bryan Burkhart and Anna Brown in the other car. This was about 2 A. M. May 22, 1921 and the last time George James saw Anna Brown alive.

Alleged that on May 21, 1921, Bryan Burkhart told Martha Doughy Brookshire that Anna was threatened to kill him but that she was going to have a little talk with him in morning.

3.

Page 108
Par. all

Page 608
Par. last

Conspirator, Will
may be used before
of the jury.

35

E. M. RICE,
Kansas City, Mo.

2.

Can testify that he was an operative for a private detective agency in June and July 1921, and, as such, was employed in June and July 1921 to get evidence to build up an alibi for Bryan Burkhardt in the murder of Anna Brown.

Can testify that Bryan Burkhardt admitted to him the details of the drinking party on the night and morning of May 21 and 22, 1921, at which time Anna Brown was in the party.

Can also testify that Bryan Burkhardt took him to several witnesses who Bryan had "fixed" to give statements to corroborate his, Bryan's, alibi.

Can testify that he learned that Bill Hale furnished Bryan Burkhardt the .38 calibre gun with which to kill Anna, as Bryan had a .44 which was well known, and its use would have thrown suspicion on him immediately; that all details of the killing of Anna Brown were worked out at the whiskey joint just west of Halston between Hale, Bridges and Bryan, that Saturday night, May 21, 1921.

Material.

3.

Page 318
Par. last

Page 317
Par. last

Page 315
Par. all

Page 680
Par. 1

Anna and question
Bill Burke using
before Grand Jury.

1352

1.
W. J. HACKETT,
Zawbucke, Okla.

2.
Worked on these cases as a private de-
tective under John A. Gustafson, of Kan-
sas City, Mo. He interviewed numerous
persons, and should have detailed infor-
mation.

3.

Interviewed and question
ed orally before using
before Grand Jury.

Material.

JOHN GUSMANSON,
Kansas City, Mo.

Material

2.

Head of a private detective agency which was employed by the Osage Indians to investigate this and other Indian murders; should have detailed information and reports on same.

3.

Page 27
Par. 2

Suppose Gibbs taciturn.
Question fully before
Gibbs before Grand
jury.

JOHN MERRIN,
Tulsa, Okla.

2.

Was employed by the Gustafson Detective Agency to investigate this and other Indian murders for the Osage Indian Nation. Par. 1. He interviewed numerous witnesses, and should have detailed information.

3.

Proposed question
to be asked before using
before Grand Jury.

Material

135

WAYNE MOVEY

~~Someone in Idaho.~~

(Correct address will be ascertained)

Sayfan, Olla

Immaterial.

2.

Stated by Mrs. Anna Sitterly that Wayne Mofey a taxi driver, frequently hailed Anna Brown. Should be able to testify regarding Anna Brown's acquaintances and habits.

3.

Page 117
Par. 5

Issued subpoena
Grand Jury and
Question.

356

W. C. BAILEY,
Madison, Kansas.

2.

Made statement to Agents F. B. Smith and J. A. Strest on July 13, 1925 in which he stated that he and several others were at Ernest Burkhart's home near Gray horse playing poker, and drinking, May 19 or 20, 1924, at which time Ernest Burkhart told them he wanted Alma Brown out of the way, and would give them \$5000 to bump her off.

Material.

Bailey's statement is corroborated by Dewey Selph and E. B. Crane.

Exposés and question
ably before using
before Grand Jury.

Page 720
Par. last

1357

DEWEY, SHIRAZI,

Lawrence, Okla. Jail

Material.

8.

Made statement July 9, 1925 to Agents J. A. Street and J. E. Burger that he, while with several others playing poker at Ernest Burkhardt's home near Grayhorse, just prior to the murder of Anna Brown, was propositioned by Ernest Burkhardt who stated at that time that he would give \$2500 to get rid of Anna Brown and \$2500 after she was done away with.

Ralph's statement is corroborated by W. G. Bailey and B. B. Crane.

9.

Page 721
Par. last

Subsequent and question
fully before using be-
fore Grand Jury.

B. B. CRANE

Lafayette, Colo., Jail.

Material.

2.

Made statement to Agents E. S. Smith and J. A. Street corroborating statements of Dewey Selph and H. C. Bailey, in which he, Crane, stated that he was at Ernest Burchart's home near Grayhorse with several others playing poker, just prior to the murder of Anna Brown, and that while there Dewey Selph told him, Crane, that Ernest Burchart wanted Anna Brown bumped off and said "our time will be made worth while". Crane also related in detail the movements of himself and others involved in the conspiracy.

3.

Page 776
Far. all

Interview and question
all before being
before Grand Jury.

This witness is now
being held in the
County Jail at La-
fayette, Colo., and
arrangements have
been made with the
Sheriff and County
Attorney to have him
turned over to the
Government when his
presence is desired.

KELIE MORRISON,

State Penitentiary,
McAlester, Okla.

Conspirator:

E.

Was at home of Ernest Burkhardt near Grayhorse just prior to the murder of Anna Brown, with several others, in a poker party. While there he was propositioned by Ernest Burkhardt, as set out in statement of Dewey Selph, W. G. Bailey and S. B. Crane. Ernest Burkhardt offering to pay the sum of \$4000 for Anna Brown's death.

Alleged that ~~with~~ stated that Catherine Cole, the wife of Kaleie Morrison, stated to her that she and Kaleie Morrison, on the night of May 21, 1931, or early morning of May 22, were riding in a car closely following the car in which Anna Brown and Ernest Burkhardt were riding, and that Kaleie Morrison drove the car, and Ernest Burkhardt was driving, and stopped his car behind the Burkhardt-Anna Brown car, and shot Anna Brown in the head; that her body was then taken to the spot where it was later found; that Bill Hale paid Morrison \$1500 for killing Anna Brown.

~~with~~ crook.
Involved in murders
of other Okage Indians,
and is a
known prototype of
Bill Hale, who is
believed to be the
master mind of these
murders.

Page 476

Par. all

Page 477

Par. 1

Page 478

Par. last

Page 496

Par. last

CATHERINE COLE MORRISON,

Fewneska, Okla.

Material.

Alleged that with her husband stated that Catherine Cole, the wife of Kelsie Morrison, stated to her that she and Kelsie Morrison, on the night of May 21, 1921, or early morning of May 22, were riding in a car closely following the car in which Anna Brown and Bryan Burkhardt were riding, and that Kelsie Morrison drove up and stopped his car behind the Burkhardt-Anna Brown car, and shot Anna Brown in the head; that her body was then taken to the spot where it was later found; that Bill Hales paid Morrison \$1800 for killing Anna Brown.

2.

3.

310

Page 696
Par. last

by press and question
fully before acting
before Grand Jury.

12/1